App. F. IX-4

Previous References

1939. (1) Legis

File No. 20-39

Serial Nos. 8a 910

Later References.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for April 1940

SUBJECT.

Amendment to Defence of India Rules

WD 0573—GPB—22,500—12-9-39

B B Chanbhan
30.1.194

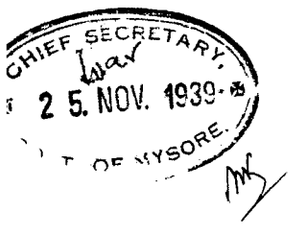
The reply to this communication should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

FROM

THE SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
Bangalore.



Dated Bangalore, the 25th November *193*

THE DEFENCE OF INDIA RULES.

SIR,

I am directed to draw the attention of the Governmen of Mysore to the notifications by the Government of India, Defence Co-ordination Department, Nos.115-OR and 261-OR/39, dated the 11th and 14th November 1939, copies of which are enclosed.

I have the honour to be,
Sir,
Your most obedient servant,

SECRETARY TO THE RESIDENT.

Government of India.

Defence Co-ordination Department.

Notification.

New Delhi, the 11th November 1939.

No.115-O.R.- In exercise of the powers conferred by section 2 of the Defence of India Ordinance,1939, the Central Government is pleased to direct that the following further amendments shall be made in the Defence of India Rules, namely :-

In the said Rules,

(1) In rule 67, after sub-rule (3) the following sub-rule shall be inserted, namely :-

" (4) Any transaction effected in contravention of the provisions of sub-rule (1) shall be void and unenforceable."

(2) For sub-rule (1) of rule 70, the following sub-rule shall be substituted, namely :-

" (1) No person shall without the previous consent in writing of the Central Government transfer or acquire any interest in any aircraft registered under the Indian Aircraft Act, 1934, whether the certificate of registration of such aircraft is in force or not, or in any part of an aircraft, or in any materials identified, under any system recognized by the Director of Civil Aviation in India, for the purpose of the construction of aircraft.

(1A). Any transaction effected in contravention of the provisions of sub-rule (1) shall be void and unenforceable."

A. DeC. WILLIAMS,

SECRETARY TO THE GOVERNMENT OF INDIA.

GOVERNMENT OF INDIA.

Defence Co-ordination Department.

Notification.

New Delhi, the 14th November 1939.

No.261-OR./39.- In exercise of the powers conferred by section 2 of the Defence of India Act, 1939, the Central Government is pleased to direct that the following further amendments shall be made in the Defence of India Rules, namely :-

In the said Rules, for the words and figures "section 18 of the Ordinance", wherever they occur, the words and figures "section 19 of the Defence of India Act, 1939," shall be substituted.

A. DeC. WILLIAMS,

SECRETARY TO THE GOVERNMENT OF INDIA.

REGISTERED No. L. 8131.

REVENUE

The Gazette of India

EXTRAORDINARY.

PUBLISHED BY AUTHORITY.

NEW DELHI, SATURDAY, NOVEMBER 25, 1939.

GOVERNMENT OF INDIA.

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATIONS.

New Delhi, the 25th November 1939.

No. 287-OR./39.—In exercise of the powers conferred by sub-rule (*1*) of Rule 88 of the Defence of India Rules, the Central Government is pleased to declare that nothing in bye-law 104 of the Bombay Port Trust Docks Bye-Laws made under section 73 of the Bombay Port Trust Act, 1879 (Bombay Act VI of 1879), shall apply to the loading, unloading, handling, storage or conveyance in the Port of ammunition, explosives or inflammable substances in the service of His Majesty or under instructions given on behalf of His Majesty.

No. 288-OR./39.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following

further amendment shall be made in the Defence of India Rules, namely:—

After rule 113 of the said Rules the following rule shall be inserted, namely:—

Power to carry on business of enemy firm.

113A. (*1*) Where it appears to the Central Government that the control or management of an enemy firm has been, or is likely to be, so affected by the state of war as to prejudice the effective continuance of its trade or business, and that it is in the public interest that the trade or business should continue to be carried on, the Central Government may by order authorise a person to carry on the trade or business in such manner and to such extent as may be prescribed.

While a person authorised under sub-rule (*1*) is carrying on the trade or business of an enemy firm,—

(*a*) such person shall be deemed to be acting as the agent of the firm;

(*b*) such person shall be entitled to the management of the affairs of the firm to the exclusion of any other person acting or purporting to act on behalf of the firm, and for the purposes of such management shall be entitled to employ such staff or other agency as he thinks fit;

(*c*) such person shall not, in respect of such matters relating to the said management as may be specified by order of the Central Government, be bound by any obligation or limitation imposed on him as agent of the firm by or under any law, instrument or contract;

(*d*) such person shall be entitled to retain out of the assets of the firm all costs, charges and expenses of, or incidential to, the said management, and such remuneration as may be prescribed; and

(*e*) the firm shall not have the right to control the carrying on of the trade or business.

(*3*) No person authorised under sub-rule (*1*) to carry on the trade or business of an enemy firm shall be personally liable for acts done by him in good faith in the course of management of such trade or business."

A. DEC. WILLIAMS,
Secretary to the Government of India

3688 P 239 P 199

No.F.193-39(W).

Legis 20-39-9- DEC 19

From

The Secretary to the Hon'ble the Resident in Mysore.

SECY. LAW DEPT. (GOVT OF MYSORE) 15 DEC. 1939 GOVT OF MYSORE BKR

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department, Bangalore.

Dated Bangalore, the 5th December 1939.

THE DEFENCE OF INDIA RULES.

Sir,

I am directed to draw the attention of the Government of Mysore to the notification by the Government of India, Defence Co-ordination Department, No.285-OR./39, dated the 24th November 1939, a copy of which is enclosed.

I have the honour to be,
Sir,
Your most obedient servant,

SECRETARY TO THE RESIDENT.

GOVERNMENT OF INDIA.

DEFENCE CO-ORDINATION DEPARTMENT.

New Delhi, the 24th November 1939.

No.285-OR./39.-- In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendments shall be made in the Defence of India Rules, namely:-

In sub-rule (1) of rule 132 of the said Rules, after the words "in pursuance of", the words and figures "the Defence of India Act, 1939, or" shall be inserted.

A. deC. WILLIAMS,
Secretary to the Government of India.

---:O:---

"C O P Y"

SUPERINTENDENT, RESIDENT'S OFFICE

Legis 20-39-10

No.F.59-39(W). DEC. 1939

From

THE SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE.

SECY. LAW DEPT. DEC. 1939 GOVT OF MYSORE

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department, Bangalore.

Dated Bangalore, the 7th December 1939.

THE DEFENCE OF INDIA RULES.

Sir,

I am directed to draw the attention of the Government of Mysore to the notification by the Government of India, Defence Co-ordination Department, No.288-OR/39, dated the 25th November 1939, a copy of which is enclosed.

I have the honour to be,
Sir,
Your most obedient servant.

SECRETARY TO THE RESIDENT.

GOVERNMENT OF INDIA.

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATION.

New Delhi, the 25th November 1939.

No. 288-OR./39.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :—

After rule 113 of the said Rules the following rule shall be inserted, namely :—

"Power to carry on business of enemy firm.

113A. (*1*) Where it appears to the Central Government that the control or management of an enemy firm has been, or is likely to be, so affected by the state of war as to prejudice the effective continuance of its trade or business, and that it is in the public interest that the trade or business should continue to be carried on, the Central Government may by order authorise a person to carry on the trade or business in such manner and to such extent as may be prescribed.

(*2*) While a person authorised under sub-rule (*1*) is carrying on the trade or business of an enemy firm,—

(*a*) such person shall be deemed to be acting as the agent of the firm ;

(*b*) such person shall be entitled to the management of the affairs of the firm to the exclusion of any other person acting or purporting to act on behalf of the firm, and for the purposes of such management shall be entitled to employ such staff or other agency as he thinks fit ;

(*c*) such person shall not, in respect of such matters relating to the said management as may be specified by order of the Central Government, be bound by any obligation or limitation imposed on him as agent of the firm by or under any law, instrument or contract ;

(*d*) such person shall be entitled to retain out of the assets of the firm all costs, charges and expenses of, or incidential to, the said management, and such remuneration as may be prescribed ; and

(*e*) the firm shall not have the right to control the carrying on of the trade or business.

) No person authorised under sub-rule (*1*) to carry on the trade or business of an enemy firm shall be personally liable for acts done by him in good faith in the course of management of such trade or business."

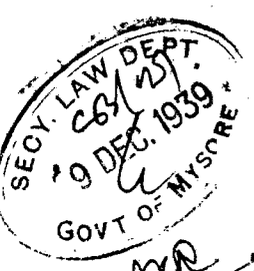
A. DEC. WILLIAMS,
Secretary to the Government of India.

3816/35
Pol. 1031

No.F.59-39(W).

From

The Secretary to the Hon'ble the Resident in Mysore.



To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department, Bangalore.

Dated Bangalore, the 9th December 1939.

THE DEFENCE OF INDIA RULES.

Sir,

I am directed to draw the attention of the Government of Mysore to the notification by the Government of India, Defence Co-ordination Department, No.290-OR/39, dated the 27th November 1939, a copy of which is enclosed.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

GOVERNMENT OF INDIA.

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATION.

New Delhi, the 27th November 1939.

). **290-OR./39.**—In exercise of the powers conferred by section 2 of the e of India Act, 1939 (XXXV of 1939), the Central Government is to direct that the following further amendment shall be made in the e of India Rules, namely :—

ter rule 85 of the said Rules, the following rule shall be inserted, :—

l of carriage of goods lways.

85-A. The Central Government may, by general or special order, direct any Railway Administration—

(*a*) to give special facilities or preference for the transport of specified goods or specified classes of goods, or

(*b*) to refuse to carry specified goods or specified classes of goods, either entirely or between specified points;

and notwithstanding anything to the contrary contained in the Indian Railways Act, 1890, a Railway Administration shall be bound to comply with any directions given to it under this rule."

A. DEC. WILLIAMS,
Secretary to the Government of India.

No.F.59-39(W),.

The Secretary to the Hon'ble the Resident in Mysore.

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department, Bangalore.

Dated Bangalore, 5th December 1939.

THE DEFENCE OF INDIA RULES.

Sir,

I am directed to draw the attention of the Government of Mysore to the notification by the Government of India, Defence Co-ordination Department, No.292-OR/39, dated the 5th December 1939, a copy of which is enclosed.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

GOVERNMENT OF INDIA.

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATION.

New Delhi, the 5th December 1939.

No. 292-OR./39.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendments shall be made in the Defence of India Rules, namely :—

In the said Rules—

(1) to rule 31 the following sub-rule shall be added, namely :—

"(7) The provisions of this rule shall be in addition to, and not in derogation of, the provisions of the Foreigners Ordinance, 1939"; and

(2) after rule 31, the following rule shall be inserted, namely :—

"31-A. (1) If any internee as defined in the Foreigners Ordinance, 1939, has committed any offence as defined in the Regulations for the Maintenance of Discipline among Enemy Internees, 1939, which, in the opinion of the Commandant of the Internment camp, is not adequately punishable by the infliction of any punishment which he has power under the said Regulations to award, the Commandant may forward the internee to the Court of the District Magistrate or any Magistrate of the first class having jurisdiction, together with a statement of the circumstances, and such Magistrate shall thereupon inquire into and try the charge against the internee, and upon conviction may sentence him to imprisonment which may extend to one year.

Trial of internees.

(2) Pending such inquiry and trial, the internee shall not be admitted to bail, but shall be kept in the internment camp in such manner as may be prescribed in the aforesaid Regulations.

(3) In determining the punishment to be awarded under this rule, the Magistrate shall receive and take into consideration such evidence as may be offered as to—

(a) the previous conduct of the accused, and

(b) the general state of discipline;

in the internment camp."

A. DEC. WILLIAMS,
Secretary to the Government of India.

GOVERNMENT OF INDIA.

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATION.

New Delhi, the 5th December 1939.

No. 292-OR./39.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendments shall be made in the Defence of India Rules, namely :—

In the said Rules—

(1) to rule 31 the following sub-rule shall be added, namely :—

"(7) The provisions of this rule shall be in addition to, and not in derogation of, the provisions of the Foreigners Ordinance, 1939"; and

(2) after rule 31, the following rule shall be inserted, namely :—

Trial of internees.

"31-A. (1) If any internee as defined in the Foreigners Ordinance, 1939, has committed any offence as defined in the Regulations for the Maintenance of Discipline among Enemy Internees, 1939, which, in the opinion of the Commandant of the Internment camp, is not adequately punishable by the infliction of any punishment which he has power under the said Regulations to award, the Commandant may forward the internee to the Court of the District Magistrate or any Magistrate of the first class having jurisdiction, together with a statement of the circumstances, and such Magistrate shall thereupon inquire into and try the charge against the internee, and upon conviction may sentence him to imprisonment which may extend to one year.

(2) Pending such inquiry and trial, the internee shall not be admitted to bail, but shall be kept in the internment camp in such manner as may be prescribed in the aforesaid Regulations.

(3) In determining the punishment to be awarded under this rule, the Magistrate shall receive and take into consideration such evidence as may be offered as to—

(a) the previous conduct of the accused, and

(b) the general state of discipline;

in the internment camp."

A. DEC. WILLIAMS,
Secretary to the Government of India.

No.F.59-1939(W).

The Secretary to the Hon'ble the Resident in Mysore.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department, Bangalore.

Dated Bangalore, the 2.12 December 1939

THE DEFENCE OF INDIA RULES.

Sir,

I am directed to draw the attention of the Government of Mysore to the notification by the Government of India, Defence Co-ordination Department, No.294-OR/39, dated the 8th December 1939, a copy of which is enclosed.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

GOVERNMENT OF INDIA.

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATION.

New Delhi, the 8th December 1939.

No. 294-OR./39.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :—

After rule 76 of the said Rules, the following rule shall be inserted, namely :—

"Powers relating to storage accommodation.

76-A. (1) The Central Government may by order in writing require the owner, or the person having the management, of any warehouse or cold storage depot to place at the disposal of Government the whole or any part of the space or accommodation available in such warehouse or cold storage depot and to employ such space or accommodation for the storage of any articles or things specified in the order; and such an order may require the said owner or person to afford such facilities, and maintain such services, in respect of the storage of such articles or things, as may be specified.

(2) Whenever in pursuance of an order made under sub-rule (1) any space or accommodation in a warehouse or cold storage depot is placed at the disposal of the Central Government, and the circumstances are not such as to render the provisions of section 19 of the Defence of India Act, 1939 applicable, the owner of such warehouse or cold storage depot shall be paid therefor at such rates as the Central Government may by order made in this behalf determine.

XXXV of 1939.

(3) If any person contravenes any order made in pursuance of this rule, he shall be punishable with imprisonment for a term which may extend to six months and shall also be liable to fine."

A. DEC. WILLIAMS,
Secretary to the Government of India.

GOVERNMENT OF INDIA.

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATION.

New Delhi, the 8th December 1939.

No. 294-OR./39.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :—

After rule 76 of the said Rules, the following rule shall be inserted, namely :—

"Powers relating to storage accommodation.

76-A. (1) The Central Government may by order in writing require the owner, or the person having the management, of any warehouse or cold storage depot to place at the disposal of Government the whole or any part of the space or accommodation available in such warehouse or cold storage depot and to employ such space or accommodation for the storage of any articles or things specified in the order; and such an order may require the said owner or person to afford such facilities, and maintain such services, in respect of the storage of such articles or things, as may be specified.

(2) Whenever in pursuance of an order made under sub-rule (1) any space or accommodation in a warehouse or cold storage depot is placed at the disposal of the Central Government, and the circumstances are not such as to render the provisions of section 19 of the Defence of India Act, 1939 applicable, the owner of such warehouse or cold storage depot shall be paid therefor at such rates as the Central Government may by order made in this behalf determine.

XXXV of 1939.

(3) If any person contravenes any order made in pursuance of this rule, he shall be punishable with imprisonment for a term which may extend to six months and shall also be liable to fine."

A. DEC. WILLIAMS,
Secretary to the Government of India.

4379 p 809 Rel 1174

No. F 59-39/W

From

The Secretary to the Hon'ble the Resident in Mysore.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department, Bangalore.

Dated Bangalore, the 4th January 1940.

THE DEFENCE OF INDIA RULES.

Sir,

I am directed to draw the attention of the Government of Mysore to the notification by the Government of India, Finance Department, No.7773-F, dated the 18th December 1939, a copy of which is enclosed.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

GOVERNMENT OF INDIA.

FINANCE DEPARTMENT.

NOTIFICATION.

New Delhi, the 18th December 1939

No. 7773-F.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :—

After Rule 90 of the said Rules the following Rule shall be inserted, namely :—

"Control of use, etc., of imported silver.

90-A (1). The Central Government may, if it is of opinion that it is expedient so to do for the purpose of controlling the price of silver in British India, impose on any person authorised to import silver into British India such conditions as it thinks fit regarding the use or disposal of, or dealings in, silver imported in pursuance of such authorisation.

(2) If any person contravenes any of the conditions imposed under sub-rule (1) he shall, without prejudice to any other action that may be taken against him, be punishable with imprisonment for a term which may extend to five years and shall also be liable to fine."

K. SANJIVA ROW,
Joint Secretary to the Government of India.

GOVERNMENT OF INDIA.

FINANCE DEPARTMENT.

NOTIFICATION.

New Delhi, the 18th December 1939

No. 7773-F.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :—

After Rule 90 of the said Rules the following Rule shall be inserted, namely :—

"Control of use, etc., of imported silver.

90-A (1). The Central Government may, if it is of opinion that it is expedient so to do for the purpose of controlling the price of silver in British India, impose on any person authorised to import silver into British India such conditions as it thinks fit regarding the use or disposal of, or dealings in, silver imported in pursuance of such authorisation.

(2) If any person contravenes any of the conditions imposed under sub-rule (1) he shall, without prejudice to any other action that may be taken against him, be punishable with imprisonment for a term which may extend to five years and shall also be liable to fine."

K. SANJIVA ROW,
Joint Secretary to the Government of India.

From

The Secretary to the Hon'ble the Resident in Mysore

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department. Bangalore.

Dated Bangalore, the 26th January

The Defence of India Rules.

Sir,

I am directed to draw the attention of the Government Mysore to the notifications by the Government of India Defence Co-ordination Department, No.288-OR./39 and No 313-OR./39, dated the 5th January 1940, ~~a copy of which~~ Copies of which enclosed.

I have the honour to be,

Sir,

Your most obedient servant,

for Secretary to the Resident

M.P.

GOVERNMENT OF INDIA.

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATIONS.

New Delhi, the 5th January 1940.

No. 288-OR./39.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :—

In clause (*a*) of sub-rule (2) of rule 113A of the said Rules, after the words " agent of the firm ", the following words and figures shall be inserted, namely :—

", provided that any person having any commercial, financial or other intercourse or dealings with such person while so acting, shall not, merely by reason of such intercourse or dealings, be deemed to have contravened the provisions of rule 98 or rule 104."

No. 313-OR./39.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :—

For sub-rule (*3*) of rule 84 of the said Rules the following sub-rules shall be substituted, namely :—

" (*3*) The Central Government may by notified order make provision for prohibiting, restricting or otherwise controlling, in all cases or in specified classes of cases, and subject to such exceptions, if any, as may be made by or under the order, the import or export, or the carriage coastwise or the shipment as ships' stores, of all goods or goods of any specified description.

(*4*) Where, by an order made under sub-rule (*2*) or sub-rule (*3*), the import or export or the carriage coastwise or the shipment as ships' stores, of any goods is prohibited, restricted or otherwise controlled, such goods shall be deemed to be goods of which the import or export has been prohibited or restricted under section 19 of the Sea Customs Act, 1878, and all the provisions of that Act shall have effect accordingly."

A. DEC. WILLIAMS,
Secretary to the Government of India.

1454 (2)—25-1-1940—10—RPB.

5223 P33 L of 1398

Legis

No.F.59-39/W.

From

The Secretary to the Hon'ble the Resident in Mysore.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department, Bangalore.

Dated Bangalore, the 7th February 1940.

The Defence of India Rules.

Sir,

I am directed to draw the attention of the Governme of Mysore to the notification by the Government of India, Defence Co-ordination Department, No.202-O.R./39, dated the 17th January 1940, a copy of which is enclosed.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

THE GAZETTE OF INDIA,

JANUARY 20, 1940.

Part I.

...

DEFENCE CO-ORDINATION
DEPARTMENT.

NOTIFICATION.

New Delhi, the 17th January 1940.

No.202-O.R./39.-- In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India, Rules, namely:-

In rule 83 of the said Rules, for the word "product" wherever it occurs the words "animal, product" shall be substituted.

Sd. A. deC. Williams,
Secretary to the Government of India.

5439
P

No.F.59-39/W.

From

The Secretary to the Hon'ble the Resident in Mysore.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department, Bangalore.

Dated Bangalore, the 15th February 1940.

The Defence of India Rules.

Sir,

I am directed to draw the attention of the Government of Mysore to the notification by the Government of India, Defence Co-ordination Department, No.185-O.R./39, dated the 29th January 1940, a copy of which is enclosed.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

The Gazette of India, February 3, 1940 (Part 1, Page

Defence Co-ordination Department.

NOTIFICATION.

New Delhi, the 29th January 1940.

No.185-O.R./39. - In exercise of the powers conferred by Section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely:-

In clause (a) of sub-rule (1) of rule 88 of the said Rules, before the word "loading" the words "to the" shall be inserted.

A. deC. Williams,
Secretary to the Government of India.

"Copy"

Superintendent, Resident's Office.

No.F.59-39/W.

From

The Secretary to the Hon'ble the Resident in Mysore.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department, Bangalore.

Dated Bangalore, the 21st February 1940.

The Defence of India Rules.

Sir,

I am directed to draw the attention of the Government of Mysore to the notification by the Government of India, Defence Co-ordination Department, No.324-OR/40, dated the 10th February 1940, a copy of which is enclosed.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

The Gazette of India,
February 19, 1940.
(Part1, page 171).

Defence Co-ordination Department.

NOTIFICATION.

New Delhi, the 10th February 1940.

No.324-OR/40.-- In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely:-

After sub-rule (1) of rule 66 of the said Rules, the following sub-rule shall be inserted, namely:-

" (1a) Any vessel requisitioned under the Requisitioning of Vessels Ordinance, 1939, shall be deemed to have been requisitioned by order of the Central Government under sub-rule (1)."

A. de C. Williams,
Secretary to the Government of India.

REGISTERED No. L. 3131

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The Gazette of India

EXTRAORDINARY

PUBLISHED BY AUTHORITY

NEW DELHI, THURSDAY, FEBRUARY 29, 1940

GOVERNMENT OF INDIA

DEFENCE CO-ORDINATION DEPARTMENT

NOTIFICATION

New Delhi, the 29th February 1940

No. 357-OR./40.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :—

In sub-rule (*1*) of rule 49 of the said Rules, after the words "dangers involved in such attack" the words "or of facilitating any operations of His Majesty's Forces" shall be inserted.

A. DEC. WILLIAMS,
Secretary to the Government of India.

1607/39

1607

No.F.59-39/W.

RESIDENCY MYSORE
18 MAR 1940
POLITICAL

From

The Secretary to the Hon'ble the Resident in Mysore.

SECTN. LAW DEPT.
13 MAR 1940
GOVT. MYSORE

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department, Bangalore.

Dated Bangalore, the 16th March 1940.

The Defence of India Rules.

Sir,

I am directed to draw the attention of the Government of Mysore to the notification of the Government of India, Defence Co-ordination Department, No.334/OR./40, dated the 17th February 1940, a copy of which is enclosed.

I have the honour to be,
Sir,
Your most obedient servant,

SECRETARY TO THE RESIDENT.

THE HON'BLE THE RESIDENT IN MYSORE.

NOTIFICATION.

No. 26, dated Bangalore the 11th March 1940.

The following notification of the Government of India is republished :—

D. H. BISCOE,
for *Secretary to the Resident.*

GOVERNMENT OF INDIA.

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATION.

New Delhi, the 17th February 1940.

No. 334/OR./40.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :—

After rule 84 of the said Rules, the following rules shall be inserted in Part XII, namely :—

"84A. *Definitions.*—(*1*) In rule 84B, unless there is anything repugnant in the subject or context,—

(*a*) "Enemy" and "enemy subject" have the meanings respectively assigned to them by rules 97 and 103 ;

(*b*) "Design", "invention", "patent" and "patentee" have the meanings assigned to them by section 2 of the Indian Patents and Designs Act, 1911.

II of 1911.

(*2*) Where a patent has been granted to any person in respect of an invention communicated to him by some other person, that other person shall, for the purposes of rule 84B be deemed to have an interest in the patent unless the contrary is proved.

84B. *Power of Central Government to grant licences under patents, or designs of enemies and enemy subjects.*—(*1*) Where—

(*a*) an enemy or an enemy subject is, or has at any time subsequent to the 2nd September 1939 been, whether alone or jointly with any other person, the proprietor of a patent or registered design, or entitled to any other interest in a patent or registered design (not being merely the interest of a licensee), and

(*b*) the Central Government is satisfied that it is expedient for securing the defence of British India or the efficient prosecution of the war or for maintaining supplies and services essential to the life of the community that the rights conferred by the patent should be exercised, or that the design should be applied, as the case may be, and that a person who is not an enemy or an enemy subject desires to exercise the said rights or apply the said design and is in a position so to do,

the Central Government may, on the application of that person, make an order granting to him a licence under the patent or for the application of the design, as the case may be, either for the whole of the residue of the term of the patent or the registration, or for such less period as the Central Government thinks fit.

(*2*) The power of the Central Government under this rule to make an order granting a licence shall include the power—

(*a*) to make an order granting an exclusive licence ;

(*b*) to make an order granting a licence in relation to a patent or registered design, notwithstanding that a licence, whether exclusive or otherwise (not being an exclusive licence granted by virtue of the powers conferred by this rule), is in force in relation thereto ; and

(*c*) to make an order granting a licence on any terms that the Central Government may think expedient.

(*3*) Where, under the power conferred by this rule, the Central Government makes an order granting a licence in relation to a patent or registered design, in relation to which any other licence has been granted otherwise than by an order made under this rule, the Central Government may, in relation to that other licence, make such order

(*a*) revoking the licence ;

(*b*) revoking or varying any conditions subject to which the licence has effect ; or

(*c*) revoking or varying any of the provisions of a contract relating to the licence in so far as they relate thereto,

as appears to it to be expedient having regard to the order made under sub-rule (*1*).

(*4*) An order granting a licence under this rule shall, without prejudice to any other method of enforcement, operate as if it were embodied in a deed granting the licence which the patentee or the proprietor of the registered design, as the case may be, and all other parties having any interest therein, had executed with full capacity so to do, and the order shall accordingly operate to take away from any such party any right in relation thereto, the exercise whereof would be inconsistent with the exercise of the licence in accordance with and subject to the terms on which it is granted.

(*5*) A licensee under a licence granted under this rule may institute proceedings for infringement in his own name as though he were the patentee or the proprietor of the registered design, as the case may be, so, however, that any person other than an enemy who, whether alone or jointly with any other person, is the patentee or the registered proprietor of the registered design, as the case may be, shall, unless the court in which the proceedings are taken thinks fit to direct otherwise, be made a party to the proceedings, either—

(*a*) if he consents in writing thereto, as a plaintiff, o

(*b*) if he does not so consent, as a defendant.

Where any person is made defendant to any proceedings by virtue of this sub-rule, he shall not be liable for any costs unless he enters an appearance and takes part in the proceedings.

(*6*) An order granting a licence under this rule shall give directions as to the person to whom or the manner in which the licensee is to pay or deal with any royalties or other payments to be paid in respect of the licence.

(*7*) An order under this rule and a licence granted by such an order may be varied by a subsequent order made by the Central Government either :—

(*a*) where the licensee makes application to the Central Government for the variation thereof, or

(*b*) where the Central Government is of opinion that circumstances have arisen which make it just and equitable, or that it is expedient for the purposes specified in clause (*b*) of sub-rule (*1*), that it should be varied.

(*8*) An order under this rule and a licence granted by such an order may be revoked by a subsequent order made by the Central Government in any of the following cases, that it is to say :—

(*a*) where the licensee makes application to the Central Government for the revocation thereof ;

(*b*) where it appears to the Central Government that it was obtained by any misrepresentation, whether intentional or not, or was made or granted without the Central Government's having full knowledge of the material facts ;

(*c*) where the licensee has failed to comply with any term on which the licence was granted or with a direction given under sub-rule (*6*), or has failed to exercise the licence in such a manner as to satisfy the reasonable requirements of the public in relation to the invention or registered design, as the case may be, or has charged, unreasonable or excessive prices in respect of anything made or done in the exercise of the licence ; or

(*d*) where the Central Government is of opinion that circumstances have arisen which make it just and equitable, or that it is expedient for the purposes specified in clause (*b*) of sub-rule (*1*), that it should be revoked.

(*9*) Any licence granted under this rule may provide that the licensee may, subject to such conditions as may be imposed by the Central Government, adopt the name used by the patentee for describing or denoting the article or substance manufactured under the patent.

(*10*) The fee to be paid on an application under this rule for an order—

(*a*) granting a licence,
(*b*) revoking any licence,
(*c*) revoking or varying any conditions subject to which any licence has effect, or
(*d*) revoking or varying any of the provisions of a contract relating to any licence in so far as they relate thereto,

shall be rupees twenty in respect of each patent or registered design.

84C. *Effect of wrong decision as to enemy character.*—No order made by the Central Government under rule 84B shall be held to be invalid by reason only that any decision made for the purposes of the order that a particular person is an enemy or an enemy subject is wrong."

A. DEC. WILLIAMS,
Secretary to the Government of India.

No. F. 59-39/W.

From

The Secretary to the Hon'ble the Resident in Mysore.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department, Bangalore.

Dated Bangalore, the 19th March 1940.

The Defence of India Rules.

Sir,

I am directed to draw the attention of the Government of Mysore to the notifications of the Government of India, Defence Co-ordination Department, No.347-OR/40, dated the 26th February 1940 and No.357-OR/40, dated the 29th February 1940, copies of which are enclosed.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

The Gazette of India,

Part I,

Dated March 2, 1940.

(Page 308).

Defence Co-ordination Department.

NOTIFICATION.

New Delhi, the 26th February 1940.

No.347-OR/40.-- In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely:-

In sub-rule (2) of rule 40 and in sub-rule (2) of rule 44 of the said Rules, after the words "wherever found", the words "in British India" shall be inserted.

Sd. A. de C. Williams,
Secretary to the Government of India.

---:O:---

"C O P Y"

Superintendent, Resident's Office,
Bangalore.

Government of India

Defence Co-ordination Department.

NOTIFICATION.

New Delhi, the 29th February 1940.

No.357-OR/40. In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely:-

In sub-rule (1) of rule 49 of the said Rules, after the words "dangers involved in such attack" the words "or of facilitating any operations of His Majesty's Forces" shall be inserted.

A. deC. Williams,

Secretary to the Government of India.

---:O:---

"C O P Y"

Superintendent, Resident's Office,
Bangalore.

REGISTERED No. P-61.

The Bihar Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY.

PATNA, SATURDAY, MARCH 23, 1940.

POLITICAL DEPARTMENT.

(Special Section.)

NOTIFICATION.

The 21st March 1940.

No. 745-C.—The following notifications issued by the Government of India are hereby republished for general information.

Y. A. GODBOLE,

Chief Secretary to Government.

DEFENCE CO-ORDINATION DEPARTMENT.

New Delhi, 14th March 1940.

No. 370-OR./40.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely:—

In sub-rule (3) of rule 42 of the said Rules, for the words "in any foreign country", the words "in any country or place not included in His Majesty's Dominions and not being an Indian State" shall be substituted.

New Delhi, 15th March, 1940

No. 371-OR./40.—In exercise of the powers conferred by section 2, o he Defence of India Act, 1939 (XXXV of 1939), the Central Government i leased to direct that the following further amendments shall be made i he Defence of India Rules, namely

In rule 101 of the said Rules—

(i) sub-rule (*1*) shall be omitted; and sub-rules (*2*) and (*3*) shall b e-numbered as sub-rules (*1*) and (*2*) respectively;

(ii) in sub-rule (*1*), as so renumbered

(*a*) for the words, brackets and figure " A controller or inspecto authorised under sub-rule (*1*) " the following shall b substituted, namely:—

" If in order to secure compliance with the provisions of this Par the Central Government considers it expedient so to do, it ma by order direct that the business of any person (hereinafte referred to as the suspected person) shall be subject to super vision; and thereupon a controller and any person authorise by a controller in this behalf "; and

(*b*) for the words " as the controller or inspector may require " th words " as may be required " shall be substituted;

(iii) in sub-rule (*2*), as so re-numbered, for the word " inspector " th ords " any person authorised by a controller under this rule " shall b bstituted.

REGISTERED No. P-61.

12 APR

The Bihar Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY.

PATNA, MONDAY, APRIL 8, 1940.

POLITICAL DEPARTMENT.

(Special Section.)

NOTIFICATION.

The 6th April 1940.

No. 868-C.—The following notifications by the Government of India are hereby republished for general information.

Y. A. GODBOLE,
Chief Secretary to Government.

DEFENCE CO-ORDINATION DEPARTMENT.

New Delhi, 28th March 1940.

No. 356-OR/40.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendments shall be made in the Defence of India Rules, namely:—

In rule 26 of the said Rules—

(1) In sub-rule (1), for the words " The Central Government, if it is satisfied with respect to any particular person that with a view to preventing

him from acting in any manner prejudicial to the efficient prosecution of war; to the Defence of British India or to public order, it is necessary so to do, may make an order " the following shall be substituted, namely :—

> Central Government or the Provincial Government, if it is satisfied with respect to any particular person that with a view to preventing him from acting in any manner prejudicial to the Defence of British India, the public safety, the maintenance of public order or the efficient prosecution of the war it is necessary so to do, may make an order."

(2) After the proviso to sub-rule (1), the following further proviso shall be added, namely

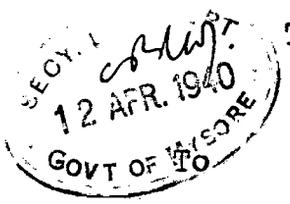
> Provided further that no order shall be made by the Provincial Government under clause (*c*) of this sub-rule directing that any person ordinarily resident in the Province shall not be in the Province

(3) Sub-rule (2) shall be omitted.

In sub-rule (3) the words, brackets and figure " or sub-rule (2) " shall be omitted.

No.F.59-39/W.

From



The Secretary to the Hon'ble the Resident in Mysore.

The Secretary to the Government of Mysore,
Law Department.

Dated Bangalore, the 11th April 1940.

The Defence of India Rules.

Sir,

I am directed to forward for the information of the Government of Mysore - - - a copy of a notification by the Government of India, Defence Co-ordination Department No. 370-OR/40, dated the 14th March 1940.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

DEFENCE CO-ORDINATION
DEPARTMENT.

NOTIFICATION.

New Delhi, the 14th March 1940.

No.370-OR./40.--In exercise of the powers conferred by Section 2 of the Defence of India Act, 1939 (XXXV of 1939) the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely:

In sub-rule (3) of rule 42 of the said Rules, for the words "in any foreign country", the words "in any country or place not included in His Majesty's Dominions and not being an Indian State" shall be substituted.

A. DeC. WILLIAMS.
Secretary to the Government of India

REGISTERED No. N-1

THE CENTRAL PROVINCES AND BERAR GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

NAGPUR, FRIDAY, APRIL 12, 1940

POLITICAL AND MILITARY DEPARTMENT

Nagpur, the 12th April 1940.

The following notification of the Government of India is reproduced for general information.

C. M. TRIVEDI,
Secy. to Govt., C. P. & Berar,
Political and Military Department.

GOVERNMENT OF INDIA

DEFENCE CO-ORDINATION DEPARTMENT

New Delhi, the 6th April 1940.

No. 378-OR.-40.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :—

After rule 85-A of the said Rules, the following rule shall be inserted, namely :—

'Control of carriage of persons by railways.

85-B. (1) The Central Government or the Provincial Government may by order—

(*a*) require that any specified person or class of persons, or persons proposing to travel to specified destinations, shall not be carried on a railway; and

(*b*) prohibit the travelling by railway of any specified person or class of persons.

(2) Notwithstanding anything to the contrary contained in the Indian Railways Act, 1890 (IX of 1890), a railway administration shall be bound to comply with any order made under clause (*a*) of sub-rule (1).

(3) If any person contravenes any order made under clause (*b*) of sub-rule (1), he shall be punishable with imprisonment for a term which may extend to three years and shall also be liable to fine."

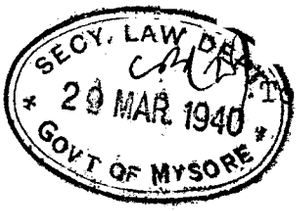
A. DEC. WILLIAMS,
Secy. to the Govt. of India.

PRINTED AND PUBLISHED BY THE SUPERINTENDENT, GOVERNMENT PRINTING, NAGPUR—1940

Ld 1656

No.F.59-39/W.

From



The Secretary to the Hon'ble the Resident in Mysore.

The Secretary to the Government o
His Highness the Maharaja of Mysore,
Law Department, Bangalore.

Dated Bangalore, the 28th March 1940.

The Defence of India Rules.

Sir,

I am directed to draw the attention of the Governmen
Mysore to the notification of the Government of India,
Defence Co-ordination Department. No.361/OR/40, dated the
4th March 1940, a copy of which is enclosed.

I have the honour to be,
Sir,
Your most obedient servant

SECRETARY TO THE RESIDENT.

The Gazette of India,

March 9, 1940.

Part I, page 347.

DEFENCE CO-ORDINATION DEPARTMENT.

Notification.

New Delhi, the 4th March 1940.

No.361-OR/40. - In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendments shall be made in the Defence of India Rules namely:-

(1) In clause (o) of sub-rule (6) of rule 34, after the words, figures and brackets "Section 10 to 16 (both - - inclusive) of" ,the words "the Naval Discipline Act as se forth in the first schedule to" shall be inserted;

(2) in sub-rule (4) of rule 35, the word "this" where it occurs for the first time shall be omitted;

(3) in clause (a) of sub-rule (1) of rule 45, after the words "the restriction of photography" , the words "or th making of representations" shall be inserted;

(4) in clause (a) of sub-rule (1) of rule 80, after the word "entitling" , the word "any" shall be inserted; and

(5) in rule 105, for the word "Controller" the word - - "Controllers" shall be substituted.

Sd/- A.de C. Williams,

Secretary to the Government of India.

"Copy"

Superintendent,
Resident's Office.

116.

No.F.59-39/W.

Hm 2 4/4

From

The Secretary to the Hon'ble the Resident in Mysore.

To

The Secretary to the Government of
His Highness the Mahraja of Mysore,
Law Department, Bangalore.

Dated Bangalore, the 4 & April ~~March~~ 1940.

The Defence of India Rules.

Sir,

I am directed to forward for the information of the Government of Mysore a copy of a notification by the Government of India, Defence Co-ordination Department, No.371-OR/40. dated the 15th March 1940.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

ICS.

GOVERNMENT OF INDIA.

Defence Co-ordination Department.

NOTIFICATION.

New Delhi, the 15th March 1940.

No.371-OR./40.- In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendments shall be made in the Defence of India Rules, namely:-

In rule 101 of the said Rules-

(i) sub-rule (1) shall be omitted, and sub-rules (2) and (3) shall be re-numbered as sub-rules (1) and (2), respectively;

(ii) in sub-rule (1), as so re-numbered-

(a) for the words, brackets and figure "A controller or inspector authorised under sub-rule (1)" the following shall be substituted, namely:-

"If in order to secure compliance with the provisions of this Part the Central Government considers it expedient so to do, it may by order direct that the business of any person (hereinafter referred to as the suspected person) shall be subject to supervision; and, thereupon a controller and any person authorised by a controller in this behalf"; and

(b) for the words "as the controller or inspector may require" the words "as may be required" shall be substituted;

(iii) in sub-rule (2), as so re-numbered, for the for the word "inspector" the words "any person authorised by a controller under this rule" shall be substituted.

A. deC. WILLIAMS,

SECRETARY TO THE GOVERNMENT OF INDIA.

REGISTERED No. P-61.

The Bihar Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY.

PATNA, FRIDAY, APRIL 12, 1940.

POLITICAL DEPARTMENT.

(Special Section.)

NOTIFICATIONS.

The 11th April 1940.

No. 904-C.—Whereas the Governor of Bihar considers it necessary and expedient that special precautions should be taken to prevent the entry of un-authorised persons into the places described in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by rule 7 of the Defence of India Rules, the Governor of Bihar is pleased to declare each of the said places to be a protected place :—

THE SCHEDULE.

Name of protected place.	Police-station.	District.	Boundaries or other descriptions.
1	2	3	
The Power House at Kenduadih with its own coal supply pits, belonging to the East Indian Coal Company, Ltd.	Kenduadih	Manbhum	The area bounded on the— North—by the Katras-Jharia district board road, up to the western boundary of the post office compound, then by the western, southern and eastern boundaries of the post office compound up to the Katras-Jharia district board road, then by the Katras-Jharia district board road.

	Boundaries or other descriptions.
	the East Indian Coal Company, Limited's colliery road for a distance to the south of 376 yards from the Katras-Jharia district board road.
	by a line, drawn west (S 80°—15° W) from the southern extremity of the eastern boundary to the southern extremity of the western boundary.
	y the East Indian Railway, Khaira Branch siding from the point where it crosses the Katras-Dhanbad district board road under an over-bridge to a point 491 yards to the south of the said crossing.
	bounded on th
	by the Bengal-Nagpur Railway, Bhowra Branch.
	y the private road to the Power House Office from the point where it intersects the Bhowra Branch of the Bengal-Nagpur Railway to the point where it turns at the north-eastern corner of the office building and then by a line drawn east alongside the *kutcha* portion of the above road and to the south of it up to a distance of 50 yards and then by a line drawn parallel to and 50 yards away from the eastern wall of the Power House and Coke Plant office building.
	st—by a line 50 yards south-east of the high-tension line from the Power House to river side Dam.
	st—by a line 50 yards south-west of the high-tension line to A. Sub-Station.
	the Bhulanbararee Company's aerial rope-way from the point where it crosses the Bhowra Branch of the Bengal-Nagpur Railway to a point 50 yards south of its crossing with the high-tension line to A. Sub-Station.

The 11th April 1940.

No. 909-C.—The following notifications by the Government of India are hereby republished for general information.

Y. A. GODBOLE,

Chief Secretary to Government.

HOME DEPARTMENT.

POLITICAL (W).

New Delhi, 4th April 1940.

No. 34/42/40.—In exercise of the powers conferred by section 3 of the Foreigners Act, 1940 (II of 1940), the Central Government is pleased to direct that the following further amendment shall be made in the Enemy Foreigners Order, 1939, namely :—

After paragraph 12 of the said Order, the following paragraph shall be inserted, namely :—

" *Procedure for the production of internees in courts.*

12A. (1) No internee shall be removed from an internment camp for the purpose of appearing in any civil court, or, unless his attendance is required for the purpose of answering a charge of an offence, in any criminal court.

(2) If, in any court the attendance of an internee is required for the purpose of answering a charge of an offence, the provisions of sections 37, 38, 40 and 41 of the Prisoners Act, 1900 (III of 1900), shall apply as if references in the said sections to a prison, the officer in charge of a prison and the Provincial Government were references to an internment camp, the Commandant of an internment camp and the Central Government, respectively.

(3) If, in any case the evidence of an internee is required for the purpose of any proceeding in any civil court, the provisions of sections 44, 45 and 46 of the Prisoners Act, 1900 (III of 1900), shall apply as if references in the said sections to a prison and the officer in charge of a prison were references to an internment camp and the Commandant of an internment camp, respectively, and as if in section 44 the words and figures " who, for any of the causes mentioned in section 42 or section 43 cannot be removed " in clause (*a*), and clauses (*b*) and (*c*) were omitted.

(4) If, in any case the evidence of an internee is required in connection with any proceeding in a criminal court, it may be obtained by the issue of a commission in accordance with the provisions of Chapter XL of the Code of Criminal Procedure, 1898 (Act V of 1898).

(5) The provisions of sections 47 to 51 of the Prisoners Act, 1900 (III of 1900), shall apply as if references in the said sections to a prison, the officer in charge of a prison and the Provincial Government were references to an internment camp, the Commandant of an internment camp and the Central Government, respectively :

Provided that unless and until the Central Government makes rules of the nature described in the said section 51, the rules in force in the Province of Bombay shall *mutatis mutandis* be applicable."

H. J. FRAMPTON,

Deputy Secy. to the Govt. of India.

DEFENCE CO-ORDINATION DEPARTMENT.

New Delhi, 6th April 1940.

No. 378-OR./40.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government

is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :-

After rule 85-A of the said Rules, the following rule shall be inserted, namely

" Control of carriage of persons by railways.

°5-B. (*1*) The Central Government or the Provincial Government may by order—

(*a*) require that any specified person or class of persons, or persons proposing to travel to specified destinations, shall not be carried on a railway; and

(*b*) prohibit the travelling by railway of any specified person or class of persons.

(*2*) Notwithstanding anything to the contrary contained in the Indian Railways Act, 1890, a railway administration shall be bound to comply with any order made under clause (*a*) of sub-rule

(*3*) If any person contravenes any order made under clause (*b*) of sub-rule (*1*), he shall be punishable with imprisonment for a term which may extend to three years and shall also be liable to fine.'

A. DEC. WILLIAMS,
Secy. to the Govt. of India

MENT OF COMMERCE

TREATIES (WAR).

Delhi, 6th April 1940.

No. 72 (2)-Tr. (W.)/39.—In exercise of the powers conferred by sub rule (1) of rule 114 of the Defence of India Rules, the Central Governmen s pleased to direct that the following further amendment shall be made in he Enemy Property (Custody and Registration) Order, 1939, namely :—

After paragraph 10 of the said Order, the following paragraph shal be added, namely :—

" 11. *Fees for Custody.*—(1) There shall be retained by the Custodian fees equal to two per centum of—

(*a*) the amount of monies paid to him, an

(*b*) the value at the date of vesting of any property which is veste in him or of which the right of transfer is vested in him.

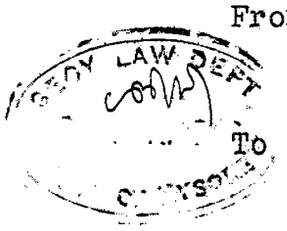
(2) The value of any property for the purpose of assessing the fe shall be the price which, in the opinion of the Central Government or c an authority empowered in this behalf by the Central Government, suc property would fetch if sold in the open market.

(3) The fees in respect of any property may be retained out of ar proceeds of the sale or transfer thereof, or out of any income accrued ther from or out of any other property belonging to the same enemy and vestir in the Custodian."

No.F.59-39/W.

From

The Secretary to the Hon'ble the Resident in Mysore.



To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department, Bangalore.

Dated Bangalore, the 24th April 1940.

The Defence of India Rules.

Sir,

I am directed to forward for information of the Government of Mysore a copy of the notification by the Government of India, Defence Co-ordination Department No.356-OR/40, dated the 28th March 1940.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

DEFENCE CO-ORDINATION DEPARTMENT

NOTIFICATION

New Delhi, the 28th March 1940

No. 356-OR/40.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendments shall be made in the Defence of India Rules, namely:—

In rule 26 of the said Rules—

(1) In sub-rule (1), for the words "The Central Government, if it is satisfied with respect to any particular person that with a view to preventing him from acting in any manner prejudicial to the efficient prosecution of war, to the defence of British India or to public order, it is necessary so to do, may make an order" the following shall be substituted, namely:—

"The Central Government or the Provincial Government, if it is satisfied with respect to any particular person that with a view to preventing him from acting in any manner prejudicial to the defence of British India, the public safety, the maintenance of public order or the efficient prosecution of the war it is necessary so to do, may make an order".

(2) After the proviso to sub-rule (1), the following further proviso shall be added, namely:—

"Provided further that no order shall be made by the Provincial Government under clause (*c*) of this sub-rule directing that any person ordinarily resident in the Province shall not be in the Province."

(3) Sub-rule (*2*) shall be omitted.

(4) In sub-rule (*3*) the words, brackets and figure "or sub-rule (*2*)" shall be omitted.

A. DEC. WILLIAMS,
Secy. to the Govt. of India.

GIPD—L487 DCD—5-4-40—553.

REGISTERED No. P-61.

The Bihar Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY.

PATNA, MONDAY, APRIL 29, 1940.

POLITICAL DEPARTMENT.

(Special Section.)

NOTIFICATION.

The 26th April 1940.

No. 1030-C.—The following notifications issued by the Government of India are republished for general information.

Y. A. GODBOLE,

Chief Secretary to Government.

DEFENCE CO-ORDINATION DEPARTMENT.

New Delhi, the 23rd October, 1939.

No. 256-O.R./39.—In exercise of the powers conferred by section 2 of the Defence of India Ordinance, 1939, the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely:—

In rule 7, for the words " in such place ", the words " in relation to such place " shall be substituted.

New Delhi, the 24th November, 1939.

No. 285-O.R./39.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendments shall be made in the Defence of India Rules, namely:—

In sub-rule (1) of rule 132 of the said Rules, after the words " in pursuance of ", the words and figures " the Defence of India Act, 1939, or " shall be inserted.

New Delhi. the 8th December, 1939.

No. 294-O.R./39.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendments shall be made in the Defence of India Rules, namely :—

After rule 76 of the said Rules, the following rule shall be inserted, namely :—

" 76-A. (1) The Central Government may by order in writing require the owner, or the person having the management, of any warehouse or cold storage depot to place at the disposal of Government the whole or any part of the space or accommodation available in such warehouse or cold storage depot and to employ such space or accommodation for the storage of any articles or things specified in the order; and such an order may require the said owner or person to afford such facilities, and maintain such services, in respect of the storage of such articles or things, as may be specified.

Powers relating to storage accommodation.

Whenever in pursuance of an order made under sub-rule (1) any space or accommodation in a warehouse or cold storage depot is placed at the disposal of the Central Government, and the circumstances are not such as to render the provisions of section 19 of the Defence of India Act, 1939 applicable, the owner of such warehouse or cold storage depot shall be paid therefor at such rates as the Central Government may by order made in this behalf determine.

If any person contravenes any order made in pursuance of this rule, he shall be punishable with imprisonment for a term which may extend to six months and shall also be liable to fine "

A. DEC. WILLIAMS,

Secretary to the Government of India.

DEPARTMENT OF COMMERCE.

TREATIES (WAR).

New Delhi, the 20th April, 1940

)(8)-Tr.(W)/40.—In exercise of the powers conferred by sub-rule 114 of the Defence of India Rules, the Central Government is direct that the following further amendment shall be made in] of Internees' Property Order, 1939, namely :—

said Order, after paragraph 4, the following paragraph shall b amely :-

(1) If any such power of attorney as aforesaid is granted i favour of the Custodian, the Custodian shall be entitled t levy in respect of each transaction completed by him on behal of the internee, such fee not exceeding two per cent of th monetary value thereof as the Custodian may consider proper.

The Custodian shall be the sole judge of the monetary value o any transaction for the purposes of this paragraph."

No.F.59-39/W.

SECTT. LAW DEPT
2 MAY 1940
GOVT OF MYSORE

From

The Secretary to the Hon'ble the Resident in Mysore.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department, Bangalore.

Dated Bangalore, the 30th April 1940.

The Defence of India Rules.

Sir

I am directed to forward for information of the Government of Mysore copies of the notifications by the Government of India, Defence Co-ordination Department, No.378-OR/40, dated the 6th April 1940 and No.406-OR/40, dated the 8th April 1940.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

GOVERNMENT OF INDIA.

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATION.

New Delhi, the 6th April 1940.

No. 378-OR./40.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :—

After rule 85-A of the said Rules, the following rule shall be inserted, namely :—

"Control of carriage of persons by railways.

85-B. (*1*) The Central Government or the Provincial Government may by order—

(*a*) require that any specified person or class of persons, or persons proposing to travel to specified destinations, shall not be carried on a railway ; and

(*b*) prohibit the travelling by railway of any specified person or class of persons.

IX of 1890.

(*2*) Notwithstanding anything to the contrary contained in the Indian Railways Act, 1890, a railway administration shall be bound to comply with any order made under clause (*a*) of sub-rule (*1*).

(*3*) If any person contravenes any order made under clause (*b*) of sub-rule (*1*), he shall be punishable with imprisonment for a term which may extend to three years and shall also be liable to fine."

A. DEC. WILLIAMS,

Secretary to the Government of India.

25 (2)—29-4-1940—10—RPB.

GOVERNMENT OF INDIA.

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATION.

New Delhi, the 8th April 1940.

No. 406-OR./40.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :—

After rule 114 of the said Rules, the following rule shall be inserted, namely :—

"Winding up of companies which are enemy firms.

114-A. (1) The Central Government may by order direct the winding up of a company which is an enemy firm.

(2) An order made under sub-rule (1) shall, on notification in the official Gazette, have effect as if it were a winding up order made by a Court under the Indian Companies Act, 1913 and the provisions of that Act relating to winding up by the Court, and of the rules thereunder, subject to such exceptions, additions and modifications as the Central Government may by general or special order prescribe, shall apply to the winding up of the company.

Provided that the functions conferred by the said Act and rules shall be functions of the Central Government or of such other authority as may be specified in the general or special order :

Provided further that the assets of the company and any money resulting from the realization of any part thereof shall be disposed of in such manner as the Central Government may direct.

(3) Where an order has been made under sub-rule (1) directing the winding up of a company, neither the company nor any other person shall commence or initiate, while that order remains in force, any proceedings of a like nature or calculate in any way to interfere with the carrying out of that order."

A. DEC. WILLIAMS,
Secretary to the Government of India.

2228 p 33 Rel 1885

From

The Secretary to the Hon'ble the Resident in Mysore.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department, Bangalore.

Hm 2/315

Dated Bangalore, the 3rd May 1940.

The Defence of India Rules.

Sir,

I am directed to forward for information a copy of the notification by the Government of India, Defence Co-ordination Department, No.408-OR/40, dated the 23rd April 1940.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

Government of India.

Defence Co-ordination Depatment.

Notification.

Simla, the 23rd April 1940.

No.408-OR./40.-- In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely:-

In clause (c) of rule 97 of the said Rules, for the words "in, or under the laws of, a State at war with His Majesty" the words "in enemy territory, or in, or under the laws of, a State at war with His Majesty" shall be substituted.

A. deC. Williams,

Secretary to the Government of India

REGISTERED No. N-1

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THE CENTRAL PROVINCES AND BERAR GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

NAGPUR, FRIDAY, APRIL 19, 1940

POLITICAL AND MILITARY DEPARTMENT

Nagpur, the 19th April 1940.

The following notification of the Government of India is reproduced for general information.

C. M. TRIVEDI,
Secy. to Govt., C. P. & Berar, Political and Military Department.

GOVERNMENT OF INDIA
DEFENCE CO-ORDINATION DEPARTMENT

New Delhi, the 8th April 1940.

No. 406-OR.-40.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :—

After rule 114 of the said Rules, the following rule shall be inserted, namely :—

Winding up of companies which are enemy firms.

114-A. (1) The Central Government may by order direct the winding up of a company which is an enemy firm.

(2) An order made under sub-rule (1) shall, on notification in the official Gazette, have effect as if it were a winding up order made by a Court under the Indian Companies Act, 1913 (VII of 1913), and the provisions of that Act relating to winding up by the Court, and of the rules made thereunder, subject to such exceptions, additions and modifications as the Central Government may by general or special order prescribe, shall apply to the winding up of the company.

A. DEC. WILLIAMS,
Secy. to the Govt. of India.

PRINTED AND PUBLISHED BY THE SUPERINTENDENT, GOVERNMENT PRINTING, NAGPUR—1940

REGISTERED No. P-61.

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The Bihar Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY.

PATNA, THURSDAY, APRIL 25, 1940.

POLITICAL DEPARTMENT.

(Special Section.)

NOTIFICATION.

The 23rd April 1940.

No. 984-C.—The following notification issued by the Government of India is republished for general information.

Y. A. GODBOLE,

Chief Secretary to Government.

DEFENCE CO-ORDINATION DEPARTMENT.

New Delhi, 8th April 1940.

No. 406-OR./40.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely:—

After rule 114 of the said Rules, the following rule shall be inserted, namely:—

Winding up of companies which are enemy firms.

114-A. (1) The Central Government may by order direct the winding up of a company which is an enemy firm.

(2) An order made under sub-rule (1) shall, on notification in the official Gazette, have effect as if it were a winding up order

made by a Court under the Indian Companies Act, 1913, and VII of 1913.
the provisions of that Act relating to winding up by the Court, and of the rules made thereunder, subject to such exceptions additions and modifications as the Central Government may by general or special order prescribe, shall apply to the winding up of the company

Provided that the functions conferred by the said Act and rules shall be functions of the Central Government or of such other authority as may be specified in the general or special order :

Provided further that the assets of the company and any money resulting from the realization of any part thereof shall be disposed of in such manner as the Central Government may direct.

(3) Where an order has been made under sub-rule (1) directing the winding up of a company, neither the company nor any other person shall commence or initiate, while that order remains in force, any proceedings of a like nature or calculated in any way to interfere with the carrying out of that order

A. DEC. WILLIAMS,

Secretary to the Government of India.

The reply to this communication should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

1884 P 1937

No. F.3-40/V

FROM

THE SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department, Bangalore.

SECY. LAW DEPT 1940 GOVT OF MYSORE

Dated Bangalore, the 1st June. ~~May~~ *1940.*

The Defence of India Rules.

SIR,

I am directed to forward for information copies of the notifications by the Government of India, Defence Co-ordination Department, No.300-O.R./39, dated the 16th May 1940, No.424-O.R./40 and No.3540/40, dated the 18th May 1940.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT

The Gazette of India, Part I,
May 18, 1940.
(Page 742).

DEFENCE CO-ORDINATION DEPARTMENT.

Notification.

Simla, 16th May 1940

No.300-O.R./39-- In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely:-

After clause (j) of sub-rule (6) of rule 34 of the said Rules, the following clause shall be inserted, namely:-

"(jj) to encourage or incite any person or class of persons, or the public generally, to refuse or defer payment of any land revenue, tax, rate, cess or other due or amount payable to Government or any local authority or payable under any law or custom having the force of law for any services rendered to the community;".

Sd. A. deC. Williams,
Secretary to the Government of India.

The Gazette of India, Part 1,
May 18, 1940.
(Page 742).

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATION.

Simla, the 18th May 1940.

No.424-D.R/40.- In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely:-

For clause (a) of sub-rule (6) of rule 34 of the said Rules, the following clause shall be substituted, namely:-

"(a) to prejudice His Majesty's relations with any Indian State or with any foreign power, or th maintenance of peaceful conditions in any tribal area;"

Sd. A. deC. Williams,
Secretary to the Government of India.

The Gazette of India, Part I,
May 18, 1940.
(Page 742).

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATION.

Simla, the 18th May 1940.

No.3540/40.-- In exercise of the power conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely:-

In sub-rule (1) of rule 69 of the said Rules, after the words "the defence of British India", the words "or the efficient prosecution of war" shall be inserted.

Sd. A. DeC. Williams,
Secretary to the Government of India.

The reply to this communication should be addressed to the Secretary to the Resident in. Mysore, Bangalore, by designation and not by name.

FROM

THE SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department, Bangalore.

C.No.1596. 1616

Dated Bangalore, the 15th June *194*0.

The Defence of India Rules.

SIR,

I am directed to forward for information copies of the notifications by the Government of India, Defence Co-ordination Department, No.485-OR/40 and No.486-OR/40, dated the 1st June 1940.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

GOVERNMENT OF INDIA.

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATION.

Simla, the 1st June 1940.

No. 485-O.R./40.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendments shall be made in the Defence of India Rules, namely:—

In the said Rules—

(1) in clause (4) of rule 103, for the words "enemy subject", the words and figures "enemy as defined in rule 97, an enemy subject" shall be substituted; and

(2) in sub-rule (1) of rule 114, after the words "enemy firm" at both places where they occur, the words and figures "or a person who is an enemy as defined in rule 97" shall be inserted.

A. DEC. WILLIAMS,
Secretary to the Government of India.

GOVERNMENT OF INDIA.

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATION.

Simla, the 1st June 1940.

No. 486-O.R./40.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :—

For rules 100 and 101 of the said Rules, the following rules shall be substituted, namely—

Powers to appoint Controllers, etc., of Enemy Trading.

100. The Central Government may either generally or for any particular area appoint one or more Controllers, Deputy Controllers and Inspectors, of Enemy Trading, for securing compliance with the provisions of this Part, and may, by general or special order, provide for the distribution and allocation of the work to be performed by them under these Rules.

Powers of Controllers, etc., of Enemy Trading.

100-A. (1) If a Controller, or Deputy Controller, of Enemy Trading has reasonable cause to believe that an offence punishable under rule 98 has been or is likely to be, committed, he may—

(a) inspect or cause to be inspected any books or documents belonging to, or under the control of any person,

(b) order any person to give such information in his possession with respect to any business carried on by that or any other person as the Controller or Deputy Controller, as the case may be, may demand, and for the purposes aforesaid, may—

(i) enter and search, or authorise a police officer not below the rank of Sub-Inspector to enter and search any premises used for the purposes of the said business,

(ii) summon any person, examine him on oath, reduce his answers to writing and require him to sign the writing, and

(iii) if any person so summoned fails to appear at the time appointed, cause him to be apprehended by a police officer and brought before him for examination.

(2) A Controller, or Deputy Controller, of Enemy Trading may by order in writing delegate his powers in any particular case to an Inspector of Enemy Trading.

Supervision of suspected business.

101. If in order to secure compliance with the provisions of this Part the Central Government considers it expedient so to do, it may by order direct that the business of any person (hereinafter referred to as the suspected person) shall be subject to supervision ; and, thereupon a Controller of Enemy Trading and any person authorised by a Controller in this behalf shall have in relation to that business—

(a) all the powers mentioned in rule 100-A,

(b) the power to prohibit or regulate by means of written instructions to the suspected person or his agents or employees any transactions or class of transactions of that person, and

(c) such other powers as may from time to time be conferred on him by the Central Government.

Penalty for failure to comply with orders of Controllers, etc.

101-A. If any person contravenes any order lawfully given by any Controller, Deputy Controller, or Inspector, of Enemy Trading or any person authorised by a Controller under rule 101, that person shall be punishable with imprisonment for a term which may extend to six months and shall also be liable to fine.

A. DEC. WILLIAMS,
Secretary to the Government of India.

No.F.3-40/W Ref 2202

FROM

THE SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore, Bangalore.

Dated Bangalore, the 27th June *1940*

The Defence of India Rules.

SIR,

I am directed to forward for information a copy of

Notifications by the Government of India, Defence Co-ordination Department No.- 366-O.R/40 dated the 8th June 1940. 494-OR/ 40 dated the 10th June 1940. 347-OR/ 40 dated the 14th June 1940.	the papers noted in the

margin.

I have the honour to be,

Sir,

Your most obedient servant,

for SECRETARY TO THE RESIDENT.

mjp.

GOVERNMENT OF INDIA.

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATION.

Simla, the 10th June 1940.

No. 494-OR/40.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :—

To sub-rule (*2*) of rule 90 of the said Rules, the following shall be added, namely :—

" ; or

(*c*) refuse to accept, in payment of a debt or otherwise, any such coin or note ".

A. DEC. WILLIAMS,
Secretary to the Government of India.

GOVERNMENT OF INDIA.

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATION.

Simla, the 14th June 1940.

No. 347-OR/40.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :—

For rule 40 of the said Rules, the following shall be substituted, namely :—

"Proscription, etc., of certain documents.

40. (*1*) Where in the opinion of the Central Government or the Provincial Government any document made, printed or published, whether before or after the Ordinance came into force, contains any confidential information, any information likely to assist the enemy or any prejudicial report, that Government may, by order,—

(*a*) addressed to the editor, printer, publisher or person in possession of such document,—

(*i*) require to be informed of the name and address of any person concerned in the supply or communication of such information or in the making of such report ;

(*ii*) require the delivery of such document and every copy thereof to an authority specified in the order ;

(*b*) prohibit the further publication, sale or distribution of such document, including, in the case of a newspaper or other periodical, the publication, sale or distribution of any subsequent issue thereof ;

(*c*) declare such document and every copy thereof to be forfeited to His Majesty.

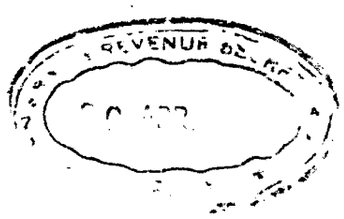
(*2*) Where in pursuance of sub-rule (*1*) any document is required to be delivered to a specified authority, that authority may enter upon and search any premises whereon or wherein such document or any copy thereof is or is reasonably suspected to be.

(*3*) Where in pursuance of sub-rule (*1*) any document has been declared to be forfeited to His Majesty, any police officer may seize any copy thereof, wherever found in British India and any Magistrate may by warrant authorise any police officer not below the rank of Sub-Inspector to enter upon and search any premises whereon or wherein such document or any copy thereof is or is reasonably suspected to be.

(*4*) If any person contravenes any order made under this rule, he shall be punishable with imprisonment for a term which may extend to three years and shall also be liable to fine."

A. DEC. WILLIAMS,
Secretary to the Government of India.

REGISTERED No. A-888



Government Gazette

of the United Provinces

PUBLISHED BY AUTHORITY

EXTRAORDINARY

NAINI TAL, THURSDAY, APRIL 25, 1940

GOVERNMENT OF THE UNITED PROVINCES

POLICE DEPARTMENT

No. 215-C.X.

Dated Naini Tal, April 25, 1940

NOTIFICATION

IN exercise of the power conferred by sub-section (1) of section 10 of the Criminal Law Amendment Act, 1932 (Act XXIII of 1932), the Governor is pleased to declare that any offence punishable under section 188 of the Indian Penal Code when committed in the Cawnpore district shall, notwithstanding anything contained in the Code of Criminal Procedure, 1898, be cognizable.

By order of His Excellency the Governor,

R. F. MUDIE,

Chief Secretary to Government,

United Provinces.

6886/39

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 18 **April 1940.**

No. D 4811
1 & C 561-39-2

From

The Secretary to the Government of His Highness the Maharaja of Mysore,
Development Department.

To

The Excise Commissioner in Mysore,
Bangalore.

Sir,

I am directed to invite your attention to the Emergency Act XV of 1940 enhancing the rate of Excise duty on sugar from Rs.2/- to Rs.3/- per Cwt. with effect from 1st March 1940 and to state that as the Emergency Act came into force on and from 1st March 1940, it follows that the enhanced rate will apply only to sugar produced on or after that date. Sugar produced earlier will not come within the meaning of section 3(1) and 3(2) of the Mysore Sugar Excise Duty Act as amended by Act XV of 1940. Hence the enhanced rate of duty need be levied only on sugar produced on or after 1st March 1940 whether issued out of the factory after that date or used within the factory on or after such date in the manufacturing of any commodity other than sugar.

I have the honour to be,
Sir,
Your most obedient servant,

(Sd.) C.E. Noronha

Secretary to Government,
Development Department.

D 4812

Copy of the above is forwarded to the Secretary, Mysore Sugar Co., Ltd., with reference to his letter No.E-16/9312 dated 30th March 1940.

By Order,

For Secretary to Government
Development Department.

Standard Form Secretariat.

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